



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Toshiaki KAKUTANI

Application No. 10/810,062

Filed: March 26, 2004

For: TECHNIQUE FOR IMAGE
DATA RECORDING

)
) Docket No. MIPFP084

)
) Examiner: Not Assigned

)
) Group Art Unit: Not Assigned

)
) Date: August 3, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 3, 2005.

Signed:


Diane Schwanbeck

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant has received a Notice of Abandonment dated June 10, 2005 ("the Notice"). The Notice states that the subject application is abandoned because a response to the Notice to File Missing Parts dated September 28, 2004 was not filed. As Applicant submitted a timely response to the Notice to File Missing Parts, pursuant to 37 C.F.R. § 1.8(b), Applicant requests that the holding of abandonment be withdrawn.

As required by 37 C.F.R. § 1.8(b)(2), Applicant is attaching copies of the previously submitted Response to Notice to File Missing Parts, which includes a Certificate of Mailing indicating that the documents were deposited with the United States Postal Service on November 29, 2004, the Declaration and Power of Attorney, an English translation of the specification, claims and abstract (84 total pages), thirty-four (34) sheets of formal drawings,

Application No. 10/810,062

Request for Withdrawal of Holding of Abandonment dated August 3, 2005

Response to Notice of Abandonment dated June 10, 2005

the copy of the Notice to File Missing Parts, and our check in the amount of \$1,932.00.

Applicant also is attaching a copy of the stamped return postcard from the U.S. Patent and Trademark Office (PTO). The stamped return postcard indicates that the PTO received the above-listed documents on December 2, 2004.

As required by 37 C.F.R. § 1.8(b)(3), Applicant's undersigned representative hereby attests on the basis of personal knowledge to the timely mailing of the Response to Notice to File Missing Parts on November 29, 2004.

In view of the foregoing, Applicant submits that he has complied with the provisions of 37 C.F.R. § 1.8(b). Accordingly, Applicant requests that the holding of abandonment be withdrawn. In the event a telephone conversation would be helpful, the undersigned may be reached at (408) 749-6902. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP084).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

A handwritten signature in black ink, appearing to read 'P. B. Martine', with a stylized flourish at the end.

Peter B. Martine
Reg. No. 32,043

710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
(408) 749-6900
Customer Number 25920



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/810,062	03/26/2004	Toshiaki Kakutani	MIPFP084

AUG 08 2005

CONFIRMATION NO. 7885

ABANDONMENT/TERMINATION LETTER



OC000000016251055

25920
 MARTINE PENILLA & GENCARELLA, LLP
 710 LAKEWAY DRIVE
 SUITE 200
 SUNNYVALE, CA 94085

Date Mailed: 06/10/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/28/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

A copy of this notice MUST be returned with the reply.

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Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE